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SENATE BILL 158

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY

Sander Rue

AN ACT

RELATING TO LABOR; REQUIRING THE STATE AND LOCAL GOVERNMENTS TO TRACK AND PUBLISH DATA REGARDING PRODUCTIVITY OF THEIR WORKERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 9-26-1 NMSA 1978 (being Laws 2007, Chapter 200, Section 1) is amended to read:

"9-26-1. SHORT TITLE.--~~[Sections 1 through 14 of this act]~~ Chapter 9, Article 26 NMSA 1978 may be cited as the "Workforce Solutions Department Act"."

Section 2. A new section of the Workforce Solutions Department Act is enacted to read:

"[NEW MATERIAL] LABOR PRODUCTIVITY DATA COLLECTION REQUIRED.--

A. Beginning in fiscal year 2010, the secretary shall annually collect data on the labor productivity of

1 workers employed by the state and by local governments.  
2 Beginning in fiscal year 2011 for fiscal year 2010, the  
3 secretary shall publish data on the labor productivity of state  
4 and local government workers, including the status and trends  
5 of those workers.

6 B. To determine worker productivity, the secretary  
7 shall use the methodology used by the federal bureau of labor  
8 statistics to calculate the productivity of federal government  
9 workers. Elected or appointed officials shall not be included  
10 in the data on worker productivity.

11 C. Beginning in fiscal year 2011, each local  
12 government shall submit on forms provided on the department's  
13 web site worker productivity data from the previous fiscal year  
14 to the secretary no later than September 30 of each year.

15 D. Beginning in fiscal year 2011, the secretary  
16 shall submit to an appropriate legislative committee a report  
17 prior to December 1 of each year on the status and trends in  
18 state and local government worker productivity.

19 E. As used in this section:

20 (1) "labor productivity" means the output per  
21 worker-hour of labor;

22 (2) "local government" means a political  
23 subdivision of the state, including incorporated  
24 municipalities, counties, school districts, special districts  
25 that have paid workers, which districts are authorized or

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1 created by the legislature, and any other entity considered to  
2 be a subdivision of the state that has one or more paid  
3 workers;

4 (3) "state" means an agency, board,  
5 commission, university, authority, fair or any entity created  
6 in state statute or created by an authorization found in state  
7 statute that employs workers, regardless of whether the workers  
8 are considered state employees; and

9 (4) "worker" means full-time, part-time and  
10 temporary employees, including employees who are paid by the  
11 hour or are salaried, who are classified or exempt and who are  
12 working pursuant to a contract with the state or a local  
13 government."

14 Section 3. EFFECTIVE DATE.--The effective date of the  
15 provisions of this act is July 1, 2009.